

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

NORMA ZABORNEY,  
f/k/a NORMA PUGH,

Plaintiff,

V.

DEBT BUYERS, INC.  
d/b/a FREEDOM CAPITAL.,

Defendant.

FILED: JUNE 9, 2008

08CV3335

JUDGE LEFKOW

MAGISTRATE JUDGE NOLAN

TG

Jury trial demanded

## COMPLAINT

Plaintiff complains of defendant, stating:

## JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction pursuant to 15 U.S.C. §1692k(d), because plaintiff asserts claims under a federal statute, the Fair Debt Collection Practices Act (FDCPA).
2. Venue is proper in this district because plaintiff's claim arose in this district, and because defendant does business in this district.

## THE PARTIES

3. Plaintiff is a natural person who at all relevant times has resided in this district.
4. Plaintiff is informed and believes that defendant is a corporation.
5. On information and belief, defendant regularly attempts to collect debts alleged to be due another.

6. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. §1692a(6).

CAUSE OF ACTION

COUNT I

Claim for violation of FDCPA

7. Plaintiff re-alleges ¶¶1-6.
8. Defendant has sought to collect a sum allegedly owed by plaintiff on a First USA Platinum credit card.
9. On or about September 16, 2007, plaintiff received from defendant correspondence seeking payment of a debt allegedly owed by plaintiff on a First USA Platinum credit card.
10. On September 21, 2007, plaintiff prepared a letter to defendant in which plaintiff asked that defendant cease communication with plaintiff regarding the alleged debt, which plaintiff disputed.
11. On September 24, 2007, plaintiff mailed her letter to defendant, via United States Postal Service certified mail, return receipt requested.
12. Plaintiff subsequently received confirmation from the United States Postal Service that defendant received her letter on September 26, 2007.
13. Defendant did not cease communication with plaintiff after receiving plaintiff’s letter.
14. Instead defendant had a lawyer from its law firm, Messer & Stilp, Ltd., communicate with plaintiff on behalf of defendant, sending plaintiff two letters regarding the alleged debt.
15. These two letters to plaintiff were dated November 8, 2007 and November 21, 2007.

16. Both letters were attempts to collect the alleged debt from plaintiff for defendant.
17. Plaintiff received the November 8, 2007 letter and the November 21, 2007 letter.
18. Defendant violated the FDCPA, 15 U.S.C. §1692c, by failing to cease communication with plaintiff and instead continuing with collection efforts.

Wherefore, plaintiff prays that the Court enter judgment in her favor and against defendant, and (a) award damages pursuant to statute, (b) award costs and attorneys fees, and (c) award such other and further relief as is just and appropriate.

JURY DEMAND

19. Plaintiff demands trial by jury.

/s/ Jonathan Nachsin

Jonathan Nachsin  
Jonathan Nachsin, P.C.  
105 West Adams Street  
Suite 3000  
Chicago, IL 60603  
(312) 327-1777  
#6191376

Attorney for Plaintiff